

CITY CLERK'S CERTIFICATION

I certify I am the duly qualified City Clerk of the City of Flemingsburg, Kentucky, and the foregoing Ordinance No. 11-02-1 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on November 11, 2002, all as appears in the official records of said City.

WITNESS, my hand and Seal of said City, this 17th day of November, 2014.

Joy Roark

Joy Roark, City Clerk/Treasurer

RECEIVED AND FILED
DATE December 4, 2014

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handwritten Signature

EXHIBIT 2

CITY OF FLEMINGSBURG, KENTUCKY ORDINANCE NO. 11-02-1

A FINAL ANNEXATION ORDINANCE OF THE CITY OF FLEMINGSBURG, KENTUCKY ANNEXING INTO ITS CORPORATE LIMITS THE HEREINAFTER DESCRIBED LAND LOCATED ON FLEMINGSBURG BY-PASS 32, AND KNOWN AS "KIBLER LUMBER".

WHEREAS, a certain owner of real estate has consented in writing to the annexation of a certain parcel of its real estate located on the northern side of Flemingsburg By-Pass 32 in Fleming County, Kentucky, and being contiguous with the current corporate limits of the City of Flemingsburg; and

WHEREAS, said property is identified and described in the deed to Kibler Properties, Inc. dated the 28th day of September, 1999 and of record in D.B. 199, Page 771, Fleming County Clerk's Office, and a new City Plat thereof, together with a Certified Copy of Ordinance, and a List of Property Owners name and address, will be recorded in the Office of the Fleming County Clerk, the Kentucky Secretary of State, and the Department for Local Government, all within sixty (60) days, as permitted and required by KRS 81A.470 and KRS 81A.475; and

WHEREAS, said property is adjacent to and contiguous with the City's current boundaries and is urban in character and is suitable for development for urban purposes without unreasonable delay,

WHEREFORE, BE IT ORDAINED BY THE CITY OF FLEMINGSBURG, KENTUCKY;

SECTION 1: AUTHORITY

The annexation of the hereinafter described land is authorized by KRS 82.082 and KRS 81A.400 et seq.

SECTION 2: CONSENT TO ANNEXATION

The below referenced written consent to annexation executed, acknowledged and delivered to the City of Flemingsburg, Kentucky pursuant to KRS 81A.412 and of record in the office of the Fleming County Clerk, is hereby acknowledged and accepted by the City of Flemingsburg, Kentucky

for all intents and purposes expressed therein; said consent to annexation is made a part of this ordinance by reference; to-wit:-

Kibler Properties, Inc.; D.B. _____, Page _____, accepted _____, 2002.

SECTION 3: ANNEXATION

A. The land generally described in subsection C. below is found to be contiguous with and adjacent to the current boundaries of the City of Flemingsburg, Kentucky and is suitable for development for urban purposes without unreasonable delay.

B. The land described in subsection C. below is hereby annexed to and shall be within the corporate limits of the City of Flemingsburg, Kentucky.

C. The land annexed by the City of Flemingsburg, Kentucky by operation of this ordinance is described as follows:

A certain parcel or tract of land with improvements lying or situated on the Northerly side of the Flemingsburg By-Pass (Ky. Hwy. No. 11-Ky. Hwy. No. 32 connector) near the South city limits of Flemingsburg, Fleming County, Kentucky and more particularly described as follows:

BEGINNING at a point in the Right of Way line of aforesaid Flemingsburg By-Pass, said point being R/W station 185+67.81 at 180.55 ft. Right (North of centerline) and also a corner to Russell Doyle property; thence with the rear line of said Doyle North 25 deg. 14 min. 10 sec. East 296.54 ft. to a post, said point being a corner to William Bolar; thence with said Bolar's rear line North 16 deg. 50 min 24 sec. East 137.35 ft. to an iron pin (½" Re-Bar), said point a corner to B.F. & Mona Smith; thence with said Smith's lines for the following calls: S 79 deg. 23 min. 47 sec. East 245.00 ft. to an iron pin (½" Re-Bar); thence S 05 deg. 19 min. 12 sec. West 522.44 ft. to an iron pin; thence N 77 deg. 59 min. 19 sec. West 106.39 ft. to an iron pin, said point being the Northwest corner of Easement described hereinafter; thence S 21 deg. 37 min. 55 sec. West 73.49 ft. to the West side of B.F. Smith property Access opening at the aforesaid R/W line, said point being the Southwest corner of aforementioned Easement; thence with the aforesaid R/W line for the following calls: N 58 deg. 42 min. 38 sec. West 128.32 ft. to R/W station 184+00, said point being 105 ft. Right (North of Centerline); thence N 39 deg. 04 min. 06 sec. West 186.89 ft. to the point of beginning; **Containing 3.772 acres.**

ALSO CONVEYED with the above described tract of real estate is the following easement:

The easement described herein is for ingress and egress to the aforescribed

property: **BEGINNING** at the westerly side of the property Access opening at R/W line of aforesaid Flemingsburg By-Pass, said point described as R/W Station 182+80 and being a corner to aforesaid tract; thence with the East side of aforesaid tract N 21 deg. 37 min. 55 sec. East 73.49 ft. to an iron pin; thence with the S side of aforesaid tract S 79 deg. 59 min. 19 sec. East 60.00 ft. to a point; thence S 21 deg. 37 min. 55 sec. West 93.58 ft. to the R/W line, said point being the East side of aforesaid Access Opening and described as R/W Station 182+20; thence N 58 deg. 42 min. 38 sec. West 60.00 ft. to the point of beginning; **containing 0.113 acre.**

Being the same real estate conveyed Kibler Properties, Inc. by deed from Bruner Building & Supply Company, Inc. dated the 28th day of September, 1999 and of record in D.B. 199, Page 771, Fleming County Clerk's Office.

D. The map of the area described in subsection "C." has been drawn and will be recorded within the time limits required by the Annexation statute.

SECTION 4: EFFECTIVE DATE

This Ordinance shall become effective upon two (2) readings thereof, roll call vote passage by the City Council, approval by the Mayor and publication as required by law, and recording of the Plat, a Certified Copy of Ordinance, and List of Property Owner name and address, all in the office of the Fleming County Clerk, the Kentucky Secretary of State, and the Department of Local Government.

X X X

X X X

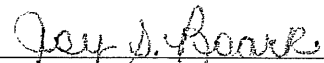
COUNCIL ACTION
ORDINANCE NO. 11-02-1

First Reading of this Ordinance was had on the 7th day of October, 2002.



Joy S. Roark, City Clerk

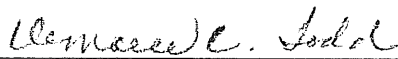
Second Reading of this Ordinance was had on the 11th day of November, 2002, and upon roll call vote was adopted by the City Council of the City of Flemingsburg, Kentucky.



Joy S. Roark, City Clerk

MAYORAL APPROVAL (#11-02-1)

I hereby accept and approve the foregoing Ordinance No. 11-02-1 and direct same to be published in accordance with applicable law this 11th day of November, 2002.



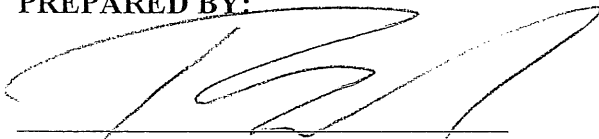
Demaree C. Todd, Mayor

ATTEST:



Joy S. Roark, City Clerk

PREPARED BY:



Thomas L. MacDonald
MacDonald, Walton & Razor, PLLC
City Attorneys

